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# The Principal Events In Westmoreland Case

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In the 18 weeks since *Westmoreland v. CBS News* opened in U.S. District Court in Manhattan, 36 witnesses have trooped before the jurors. The roster included civilian officials who directed U.S. policy during the Vietnam war; military men who gave the battle orders, soldiers who carried them out in the field and analysts who collected and analyzed information, as well as those who assembled, edited and produced the television documentary at issue in the case.

The trial opened Oct. 9 with William C. Westmoreland's lawyer, Dan M. Burt, charging that CBS had "rattlesnaked" or "ambushed" the general in its 1982 documentary, which he characterized as a "powerful work of fiction." In opening arguments for the network, defense attorney David Boies told jurors he expected them to conclude, "like CBS concluded, that the broadcast is true, well-documented and well-supported."

Walt W. Rostow, an adviser to President Lyndon B. Johnson and Westmoreland's first supporting witness, disputed CBS' version of a crucial April 1967 session at the White House, saying it was "not my recollection" that the general had assured Johnson that the Viet Cong's army had leveled off at 258,000 men and that the United States was "winning the war of attrition," as CBS interviewer Mike Wallace had charged.

Former ambassador Robert W. Komer then took the stand to deny that Westmoreland had tried to "cook the books" on enemy-troop numbers before relaying them to the president.

In November, the general took the stand to defend his reputation, describing a two-hour interview with Wallace as an "inquisition" and

saying he almost walked out at one point because he believed he was "participating in my own lynching." He described watching the CBS documentary as a "humiliating experience."

In December, former defense secretary Robert S. McNamara denied that he had portrayed the U.S. chances of winning the war differently to the public and to Congress than to Johnson.

Appearing as a "hostile witness" for the prosecution, George Crile, producer of the documentary, defended as "hyperbole" a memo to Wallace saying, "Now all you have to do is break Gen. Westmoreland and we have the whole thing ached."

Westmoreland's lawyers rested their case Jan. 8.

Former CIA analyst Samuel A. Adams, a co-defendant paid \$25,000 as a consultant to CBS, testified that he decided 17 years ago that "there had been a deception" regarding enemy-troop estimates and that as many as half of the U.S. troops killed were victims of uncounted enemy forces.

He was followed by another CIA analyst, George Allen, who labeled as "a prostitution of the intelligence process" a 1967 compromise between the CIA and Westmoreland's command about the number of enemy troops late that year.

Earlier this month, retired major general Joseph A. McChristian testified that Westmoreland had refused to send an important cable to his superiors in Washington in May 1967 for fear that the estimate of higher enemy-troop numbers would "create a political bombshell."

Last week, retired Army colonel Gains B. Hawkins said he instructed intelligence officers working for him in Vietnam to reduce official enemy-strength estimates, after Westmoreland told him at a 1967 briefing that higher numbers were "politically unacceptable."